

REMARKS

The Applicants thank the Examiner for the thorough consideration given the present application. Claim 3 is cancelled herein without prejudice to or disclaimer of the subject matter contained therein. Claims 1, 2, and 4-10 are pending. Claims 1, 4-6 and 10 are amended. Claims 1, 6, and 10 are independent. The Examiner is respectfully requested to reconsider the rejections in view of the amendments and remarks set forth herein.

Drawings

It is gratefully appreciated that the Examiner has accepted the drawings.

Claim for Priority

It is gratefully appreciated that the Examiner has acknowledged the Applicant's claim for foreign priority.

Information Disclosure Citation

Applicants thank the Examiner for considering the reference supplied with the Information Disclosure Statement filed on February 4, 2004, and for providing Applicants with an initialed copy of the PTO-1449 form filed therewith.

Rejections Under 35 U.S.C. §102(b) and §103(a)

Claims 1 and 2 stand rejected under 35 U.S.C. §102(b) as being anticipated by Noe et al. (U.S. 5,494,055);

claims 3-5 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Nagae et al. (WO/2001/15555-A1);

claims 6-8 and 10 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Noe et al. in view of W.B. Lowman (U.S. 2,999,520); and

claim 9 stands rejected under 35 U.S.C. §103(a) as being unpatentable over W. B. Lowman in view of Marchese et al. (U.S. 2,320,702) and further in view of Eckstein et al. (U.S. 2001/0009938-A1).

These rejections are respectfully traversed.

Amendments to Independent Claims 1, 6, and 10

While not conceding the appropriateness of the Examiner's rejection, but merely to advance prosecution of the instant application, each of independent claims 1, 6, and 10 is amended herein to recite a combination of features, including *inter alia*

a rod-shaped filler including a tobacco material, an inner wrapper wrapped around said rod-shaped filler without overlap of opposite side edges thereof, an outer wrapper surrounding said inner wrapper, said outer wrapper including overlap of opposite side edges thereof, and a perfume emitting layer provided between said inner wrapper and said outer wrapper, wherein said perfume emitting layer covers an entire outer circumferential surface of said inner wrapper, and includes a perfume material for weakening odor of sidestream

smoke of the cigarette and glue for carrying the perfume material.

The Applicants respectfully submit that the combination of elements as set forth in each of independent claims 1, 6, and 10 is not disclosed or made obvious by the prior art of record, including Noe et al. and W. B. Lowman,

The Present Invention

It is an object of the present invention to provide a double wrapper cigarette capable of reducing the odor of cigarette sidestream smoke during smoking.

In order to achieve this object, the double wrapper cigarette of the present invention includes a perfume emitting layer in between an inner wrapper and an outer wrapper. The perfume emitting layer covers the entire outer circumferential surface of the inner wrapper and includes a perfume material for weakening the odor of sidestream smoke and glue for carrying the perfume material.

According to the double wrapper cigarette of the present invention, since the perfume emitting layer covers the entire outer circumferential surface of the inner wrapper, the perfume emitting layer can contain a large amount of the perfume material. Therefore, during smoking, the odor of sidestream smoke is effectively reduced.

Since the perfume material is carried by glue, the glue bonds the inner and outer wrappers to each other, and reliably prevents the perfume material from dropping off from between the wrappers. Moreover, the presence of the glue is favorable to distributing the perfume material evenly in the entire outer circumferential surface of the inner wrapper.

Noe et al.

It can be recognized that Noe et al. discloses a multiple wrapper cigarette. However, the cigarette of Noe et al does not include a layer like the perfume emitting layer of the present invention, and the aroma mixture is merely applied onto the inner wrapper and/or outer wrapper.

W.B. Lowman et al.

The Lowman document was cited merely to teach a cutting section.

Nagae et al.

While used in the rejection of independent claims 1, 6 and 10, Nagae et al. WO/2001/1555 A1 (Nagae et al) merely discloses seam glue containing perfume (Example 3). However, the seam glue of Nagae et al. does not correspond to the perfume emitting layer of the invention.

Since the cigarette of Noe et al. does not include a layer corresponding to the perfume emitting layer of the present invention, it cannot be said that the manufacturing machine and method of the present invention are obvious in light of the manufacturing machine and method of Noe et al.

At least for the reasons explained above, the Applicants respectfully submit that the combination of elements as set forth in each of independent claims 1, 6, and 10 is not disclosed or made obvious by the prior art of record, including Noe et al. and W. B. Lowman.

Therefore, independent claims 1, 6, and 10 are in condition for allowance.

Dependent Claims

The Examiner will note that dependent claim 2 has been cancelled and claims 4 and 5 have been amended to depend from claim 1.

All dependent claims are in condition for allowance due to their dependency from allowable independent claims, or due to the additional novel features set forth therein.

Accordingly, reconsideration and withdrawal of the rejections under 35 U.S.C. §102(b) and §103(a) are respectfully requested.

CONCLUSION

Since the remaining patents cited by the Examiner have not been utilized to reject claims, but merely to show the state of the art, no comment need be made with respect thereto.

All of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. It is believed that a full and complete response has been made to the outstanding Office Action, and that the present application is in condition for allowance.

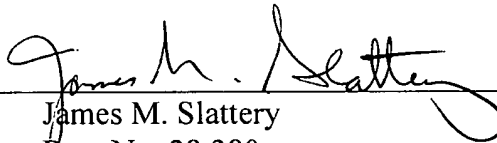
If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, he is invited to telephone Carl T. Thomsen (Reg. No. 50,786) at (703) 208-4030 (direct line).

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Amendment dated January 17, 2007
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Art Unit: 1731
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If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§1.16 or 1.17, particularly extension of time fees.

Respectfully submitted,
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